Local Government Mandate Statement Kentucky Legislative Research Commission 2019 Regular Session

Part I: Measure Information

Bill Request #: 1064
Bill #: HB 229
Document ID #: 2512
Bill Subject/Title: AN ACT relating to death in the line of duty retirement benefits.
Sponsor: Representative John Blanton
Unit of Government: X City X County X Urban-County Unified Local X Charter County X Consolidated Local X Government
Office(s) Impacted: County Employees Retirement System
Requirement: X Mandatory Optional
Effect on Powers & Duties: X Modifies Existing Adds New Eliminates Existing

Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

HB 229 would amend existing statutes and create a new statute to provide that payments to a surviving spouse of a member of the state-administered retirement systems (State Police Retirement System, Kentucky Employees Retirement System, County Employees Retirement System and Kentucky Teachers Retirement System) who dies in the line of duty shall not be reduced upon remarriage. The bill would also provide that, if a surviving spouse's benefit has been reduced due to remarriage under current law, on passage of HB 229 the surviving spouse's benefit would retroactively be increased, essentially, to the amount they would have been entitled to if they had not remarried. Payments to the surviving spouse and dependent children would in no case exceed 100% of the deceased member's monthly average pay.

HB 229 would have an indeterminable negative fiscal impact on local governments who participate in the County Employee's Retirement System, since payments to surviving spouses and dependent children would not have been pre-funded by the deceased member.

Since it is rare for public employees to die while acting in the line of duty any fiscal impact should be minimal.

Part III: Differences to Local Government Mandate Statement from Prior Versions

Part II, above, applies to HB 229 as introduced. There is no earlier introduced version of the bill to compare in Part III.

Data Source(s): <u>LRC Staff</u>

Preparer:Mary StephensReviewer:KHCDate:2/13/19